

WHAT MAKES A JUDGE GREAT: TO A. LEON
HIGGINBOTHAM, JR.

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What makes a judge great? Intelligence, of course, and a love of learning and scholarship. Without these a judge cannot go deeply or widely enough. It is a measure of Leon Higginbotham's greatness that one takes these qualities, which he demonstrates again and again so powerfully and so easily in his opinions and in his scholarly articles, almost for granted. Of course, one says of his wit and learning, as if these characteristics were common or widely shared in the judiciary.

But to be great a judge needs much, much more. And when that more shines as brightly as it does in Leon Higginbotham even intelligence and scholarship, however great, dim in comparison. Oh yes, a judge also needs to be articulate in writing and in speech. And anyone who has read what Leon has written or who has heard him speak knows that there is no person in public life today more brilliantly articulate than he. (Think for example of his open letter to Justice Clarence Thomas,¹ or of his unforgettable talk at the Yale Law School when his portrait was presented to that place he has so loved, and so honored by his love.)

Yet even articulateness—dazzling as Leon's is—pales next to his other qualities. To be truly great a judge needs wisdom, that sense of balance which allows one to weigh what cannot be measured, generosity of spirit, that compassion which causes one to know what it is like to be in trouble and in pain, and to desire instinctively to reach out and help, and above all courage, that fire which compels one to do what is right though the heavens—and one's own career—may fall.

Wisdom, generosity and courage . . . all these Leon Higginbotham has in the fullest of measures. Joined with his extraordinary articulateness, intelligence and learning they have made him a judge whose greatness is unchallengeable, and a person whom it is a blessing to count as a friend and teacher.

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¹ A. Leon Higginbotham, Jr., *An Open Letter to Justice Clarence Thomas from a Federal Judicial Colleague*, 140 U. PA. L. REV. 1005 (1992).

